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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/560,427

12/14/2005

Masazumi Yamada

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WENDEROTH, LIND & PONACK, L.L.P.

2033 K STREET N. W.

SUITE 800

WASHINGTON, DC 20006-1021

EXAMINER

STRONCZER, RYAN S

ART UNIT

PAPER NUMBER

2623

MAIL DATE

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07/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/560,427	<b>Applicant(s)</b> YAMADA ET AL.	
	<b>Examiner</b> Ryan Stronczer	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 10-21, 23 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 22, and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group I (claims 1-9, 22, and 24) is acknowledged. Claims 10-21, 23, and 25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 16 June 2008.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claim 24 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

Claim 24 recites a "program for causing a computer to execute..." which does not fall within at least one of the four categories of patent-eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter). The subject matter recited in claim 24 is a computer program *per se* and does not constitute a physical transformation or process; instead the claimed subject matter constitutes an abstract idea which falls under a judicial exception to 35 U.S.C. 101 and is not directed to a practical application of such judicial exception because the claim does not require

any physical transformation and the invention as claimed does not produce a useful, concrete, and tangible result.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-3, 7-9, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda et al. (US Pat. No.: 5,204,662) and further in view of Kawamura et al. (Pub. No.: JP 07-131470), and Osakabe et al. (US Pat. No.: 5,666,363).**

As to the switching device of claim 1, Fig. 4 of Oda teaches a system in which a plurality of input devices (VTR I&II, laser disc player, BS tuner, etc) are connected to a display device through a system containing a system controller and memory which allow the user to select the desired input to be displayed. While Oda teaches a system for allowing a multiple input devices to be connected to an output device and for selectively switching between said input devices, it does not teach the reading and outputting units recited in claim 1. Kawamura et al. teaches an analogous system for connecting multiple devices in which the system detects when devices are connected to the system and stores the physical address of said devices in a table shown in Fig. 9 which is stored in the system memory, which is equivalent to the recited reading channel and

unit. As to the recited read-out channels and outputting unit to output the status of the display device, Osakabe teaches a system similar to that taught by Kawamura in which the system adds a header to inter-device communications which includes device ID/address, operation command data, and automatic status transmission (Fig. 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the address table and transmission header taught by Kawamura and Osakabe into the system taught by Oda to make it easier for users of Oda's system to manage their devices.

As to claim 2, Fig. 10 of Osakabe (cited above) teaches that the destination device can communicate an automatic status transmission to the selected source device.

As to claim 3, Kawamura teaches that the system automatically assigns node ID numbers which are equivalent to physical addresses for the devices in the network automatically and stores said addresses in system memory [0008, 0025].

As to claims 22 and 24, practicing the combination of Oda in view of Kawamura and Osakabe, as applied to claim 1 above, would have rendered obvious the recited method.

As to claim 7, the recited control signal lines are taught by Fig. 4b of Oda as lines a-h connecting the various peripheral devices to the system. As to the recited power supply control unit, Oda teaches that the user can use a remote control to issue commands to the input devices through the primary system. Oda teaches that the

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command data can include “manipulation contents of ‘PLAY,’ ‘ON,’ and so forth” (col. 5, lines 33-34).

Claims 8 and 9 are rejected by Fig. 3 and Col. 5 of Oda as cited above with respect to claim 7.

**Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda et al. as applied to claim 1 above, and further in view of Davies et al. (US Pat. No.: 7,360,235).**

As to claim 4, Fig. 4b of Oda teaches the recited control signal transmission lines, and while turning off the output device would inherently turn off the switching device, Oda does not explicitly teach that the switching device can be turned off independently of the output device. Davies teaches a system similar to that taught by Oda in which multiple input and output devices can be controlled from a single device. It would have been obvious to one of ordinary skill in the art to embody the switching device taught by Oda in the set top terminal (STT) taught by Davies. This would have been desirable so as to allow consumers who already own a television to manage their peripheral devices using the method taught by Oda without having to purchase a new television. Examiner takes Official Notice that it is well known in the art for a STT to have the capability to be turned off by the user.

As to claims 5 and 6, Examiner takes Official Notice that it is notoriously well known in the art to turn on or shut off a device by applying a pull-up or ground voltage, respectively, to the device in question.

### **Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Stronczer whose telephone number is (571) 270-3756. The examiner can normally be reached on 7:30 AM - 5:00 PM (EDT), Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571) 272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Stronczer/  
Examiner, Art Unit 2623

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/Brian T. Pendleton/  
Supervisory Patent Examiner, Art Unit 2623